

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

No. 19-cr-01304 JB

JOSE ARMANDO MIXTEGA-VILLEGAS,

Defendant.

UNOPPOSED MOTION TO WITHDRAW

COMES NOW Timothy W. Cornish, and herewith moves to withdraw as Mr. Mixtega-Villegas' attorney in this matter and to appoint substitute counsel. As grounds he states as follows:

1. That he was appointed to represent Mr. Mixtega-Villegas on April 7, 2020 (Doc. 57).
2. Subsequent to the appointment he became aware of a conflict of interest through a conversation with the Government's attorney, Mr. Pfizenmayer, and through the Government's *Notice of Related Cases* (Doc. 49) on April 9, 2020. Specifically, he represents one of the listed defendant's is in said notice in the related matter.
3. Moreover, due to the interrelated nature of the cases and the nature of the evidence he has concluded that any representation of Mr. Mixtega-Villegas in this matter could adversely affect his right to effective assistance of counsel under the Sixth Amendment to the United States Constitution.
4. That he became aware of the potential conflict of interest before speaking to Mr. Mixtega – Villegas or reviewing any discovery or documentation other than the court docket.
5. That withdrawal is required by the Rules of Professional Responsibility adopted by the New Mexico Supreme Court and in order to ensure effective assistance of counsel for Mr. Mixtega-

Villegas under the Sixth Amendment.

6. That he has spoken to Mr. Pfizenmayer who does not oppose the granting of the relief prayed for herein.

Respectfully Submitted,

s/timothy W. Cornish

Timothy W. Cornish
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I hereby certify that a true
copy of the foregoing was
provided to all parties entitled
to notice via the cm/ecf automated
filing system this 9th day of April, 2020,
s/Timothy w. Cornish